



Kelley Freda  
Chairperson

CONSERVATION COMMISSION  
*City of Leominster, Massachusetts*  
CITY HALL - 25 WEST STREET  
LEOMINSTER, MASSACHUSETTS 01453  
www.leominster-ma.gov

Marco L. Bangrazi  
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**Leominster Conservation Commission  
Public Meeting  
25 West St, Room 10  
May 24<sup>th</sup>, 2016 – 7:00 PM**

I. In attendance:

Kelley Freda – <b>Chairperson</b>	Marco Bangrazi - <b>Conservation Agent / Environmental Inspector</b>
Daniel Brodeur	
Paul Colombo	
Larry Gianakis, Jr.	
Scott Pearson	

II. The meeting is opened at **7:01pm.**

III. Hearings:

7:00 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Request for Determination of Applicability by Kenneth Blood, for the construction of a patio area within 50 feet of a Bordering Vegetated Wetland. Address 5 Revolution Drive. Map 395, Lot 58.

1. Marco Bangrazi, Conservation Agent explains a bit about the project. Colombo says he will abstain from this hearing as he owns a lot of land that abuts this project. Bangrazi explains the proposed patio is about 50 feet from the intermittent stream. The patio will be 20 x 20 with a retaining wall around the pool. Bangrazi recommends a negative three for the project.
2. Freda and Brodeur ask about heavy equipment there. Yes, there was heavy equipment brought in on the stream side. Brodeur would like to see some protection on the stream side.
3. Gianakis asks were there stockpiles. The answer is no.
4. Freda asks if there are any members of the audience who wish to speak on this public hearing.
5. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
6. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:06 pm.**
7. Bangrazi recommends a negative three determination with the following added conditions:
  - a. Length of straw waddles to be placed along the chain length fence
  - b. Patio area shall not contain floor drains that discharge within 50 feet from the intermittent stream

8. Pearson makes a motion for a negative three with the Agent's additional conditions for the construction of a patio area within 50 feet of a Bordering Vegetated Wetland. Address 5 Revolution Drive. Map 395, Lot 58. Brodeur seconds the motion. Colombo abstains. The motion is approved by the Commission.

7:05 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Sheldon Hills Reality Trust, for the construction of a single family home with associated driveway, utilities, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 36 Sheldon Hill Drive. Map 505, Lot 2C. NO DEP file number yet.

1. Chris Anderson with Hannigan Engineering represents the project.
2. This lot is called "Lot 3".
3. The project is construction of a single family home with associated driveway, utilities, grading, and landscaping. Hannigan had the wetlands flagged again. Chris provides both the original and the new delineations of the wetlands.
4. Gianakis asks about the house lot. He asks if the detention basin has been upgraded in size as the impervious surface has been made larger. Chris says the house size will not change.
5. Brodeur says they did a site walk yesterday evening. Stakes where silt fence and straw waddles go. Brodeur thinks that very location is where the silt fence and straw waddles should go and no further towards the wetlands.
6. Colombo asks about the center line of the silt fence. Chris says it is indicated in black lines on the map given to him.
7. Freda asks if there are any members of the audience who wish to speak on this public hearing.
8. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
9. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:14 pm**.
10. Bangrazi recommends a standard order of conditions with the standard boilerplate with the added condition of:
  - a. Silt fence and straw waddles to be placed as proposed on the submitted plans.
11. Pearson makes a motion for a standard order of conditions for the construction of a single family home with associated driveway, utilities, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 36 Sheldon Hill Drive. Map 505, Lot 2C. Colombo seconds the motion. Because there is no DEP file number Gianakis would like to hold the signature for pending DEP comments. The motion is unanimously approved by the Commission.

7:10 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Barry Scola, for the construction of a single family home with associated driveway, utilities, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 42 Sheldon Hill Drive. Map 505, Lot 2D.

1. Chris Anderson with Hannigan Engineering represents the project.
2. The lot is called "Lot 4".
3. Grading and utilities are the areas of concern.
4. Gianakis asks is there change in impervious on this site. The answer is no.
5. Gianakis asks about the elevations. This will not affect the resource areas.



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6. Gianakis says lot 4 has a steep grade. His concern is for stabilization. Chris says the ratio will be 3 to 1 and he does not foresee any problems.
7. Pearson asks about the size of the retaining wall. Chris replies that it should be a little less than 4 feet.
12. Brodeur says they did a site walk yesterday evening. Stakes where silt fence and straw waddles go. Brodeur thinks that very location is where the silt fence and straw waddles should go and no further towards the wetlands. He asks that this be done immediately if possible.
8. Colombo asks about the responsibility of the maintenance of the detention basin on lots 1, 2 and 3. Chris says he will get an answer and will get back to the Conservation Commission. Freda is not positive but she thinks this may go back to be the DPW's responsibility.
9. Freda asks if there are any members of the audience who wish to speak on this public hearing.
10. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
11. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:25 pm**.
13. Bangrazi recommends a standard order of conditions with the standard boilerplate with the added condition of:
  - a. Silt fence and straw waddles to be placed as proposed on the submitted plans and shall be installed immediately.
  - b. Hold signature pending DEP file number.
12. Gianakis makes a motion for a standard order of conditions with the boilerplate and the Agent's additional conditions for the construction of a single family home with associated driveway, utilities, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 42 Sheldon Hill Drive. Map 505, Lot 2D. Pearson seconds the motion. The motion is unanimously approved by the Commission.

7:15 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Barry Scola, for the construction of a single family home with associated driveway, utilities, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 48 Sheldon Hill Drive. Map 505, Lot 2E.

1. Chris Anderson with Hannigan Engineering represents the project.
2. The lot is called "Lot 5".
3. Work has been done on this lot prior to Hannigan Engineering's involvement. Straw waddles and silt fence have been placed around the work. The contractor still needs to do work in the area. Hannigan will do a slight seeding and grading of the area.
4. Gianakis would like to see calculations done to see if the basin is large enough. Chris explains that the storm water for this house in particular will not reach the detention basin.
5. Colombo has concerns of the size of the detention basin as well. With the construction of the other houses on Pheasant Run Circle there may be potential to reach the detention basin. He wonders how many additional homes beyond lot 5 will there be that may feed into the system. Chris says the fractional increase should not

increase the impervious that much so that the detention basin size would be of concern.

6. Brodeur says they did a site walk yesterday evening. Stakes where silt fence and straw wattles go. Brodeur says that there was wetland vegetation that he is concerned of. He does not want the contractor to fill in the wetland. He would like an additional set of silt fence and straw wattles placed as indicated on the original plans. Colombo agrees with Brodeur.
7. Freda asks if there are any members of the audience who wish to speak on this public hearing.
8. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
9. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:39 pm**.
10. Bangrazi recommends a standard order of conditions with the standard boilerplate with the added condition of:
  - a. Silt fence and straw wattles to be placed as per the original submitted plans.
  - b. Hold signature pending DEP file number.
11. Pearson makes a motion for standard order of conditions with the Agent's additional recommendations for the construction of a single family home with associated driveway, utilities, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 48 Sheldon Hill Drive. Map 505, Lot 2E. Brodeur seconds the motion. The motion is unanimously approved by the Commission.

## **Regular Meeting**

1. Call to Order
2. Enforcement
  - a. 375 Harvard Street – DEP File #199-781 (Expired 9/13/15). Bangrazi is looking for the as-built plan for this. He was told it would be ready for the next meeting. The location is stable and no work has taken place.
3. Communications, there are none at this time.
4. Minutes
  - a. April 12, 2016 – Pearson makes a motion to accept the minutes from April 12, 2016 as presented. Gianakis seconds the motion. The motion is unanimously approved by the Commission. Colombo asks about the ruling from the Commission on these minutes. Bangrazi says the ruling took place at the next meeting.
  - b. April 26, 2016 – Gianakis makes a motion to accept the minutes from April 26, 2016 as presented. Brodeur seconds the motion. The motion is unanimously approved by the Commission. Pearson abstains.
  - c. May 10, 2016 – Pearson makes a motion to accept the minutes from May 10, 2016 with one change on the budget amount of \$127 which was inaccurate budget was \$127,000. Colombo seconds the motion. The motion is unanimously approved by the Commission. Gianakis abstains.
5. Old Business, there is none at this time.
6. New Business, there is none at this time.
7. Certificate of Compliance, there are none at this time.
8. Extension Permits
  - a. 96 Exchange Street – DEP File #199-814 (Issued 5/22/06 – Expires 5/22/16). The Conservation Commission now has an updated plan that they had asked for.



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Everything is outside of the 100 foot buffer. The conditions of the erosion controls were also of concern. Bangrazi says this has been fixed. Bangrazi says there are still concerns of potential for erosion. He would like to see additional erosion controls and would also like to see a rip rap pad installed as well.

- i. The request is for at least 60 days of extension.
- ii. Gianakis makes a motion for a 1-year extension permit for 96 Exchange Street – DEP File #199-814 with the comment that the applicant must meet with the Conservation Agent about the erosion controls and rip rap pad. Pearson seconds the motion. The motion is unanimously approved by the Commission

9. Emergency Certifications, there are none at this time.

10. Project Update Requests. Colombo mentions 900 Central Street (next to O'Rielly at Bart's farm). Bangrazi explains plans and work performed. It was a demo of a farm stand and a house. Both were approximately 150 feet from the resource area. Freda says they are beyond the 100 foot buffer zone and so this is not within our jurisdiction. If they come within 100 feet they must come in and file.

- a. Freda asks Bangrazi to take a look at mulch from the landscaper that may run into the resource area. Bangrazi will request a plan for any activity with the resource area.

11. Budget

- a. Bangrazi explains that he was using a Budget figure from the City's municipal budget software. The City's Comptroller has told Bangrazi that appropriations are not shown within the City's municipal budget software. They are done manually. The City's Comptroller has his own spreadsheet. Bangrazi also has his own spreadsheet and for the upcoming fiscal year he has a double check to The City's Comptroller's spreadsheet.

- i. Gianakis asks if the appropriations were approved. Bangrazi says yes they should have been approved.
- ii. Gianakis would like a monthly spreadsheet from The City's Comptroller that can be read into the minutes. Bangrazi will ask for this.

12. Agent's Report, there is not one at this time.

13. Chairman's Report, there is not one at this time.

14. Sign Papers

15. Next Meeting

- a. June 14<sup>th</sup>, 2016. Deadline, June 2<sup>nd</sup>, 2016

16. Adjournment at 8:02pm.

Respectfully Submitted,

Sandy Pellecchia, Conservation Scribe

**The interests identified in the Wetland Protection Act**

*(1) Protection of public and private water supply*

*(2) Protection of ground water supply*

*(3) Flood control*

*(4) Storm damage protection*

*(5) Prevention of pollution*

*(6) Protection of land containing shellfish*

*(7) Protection of fisheries*

*(8) Protection of wildlife habitat*

*(9) Protection of fisheries*

*(10) Protection of wildlife habitat*